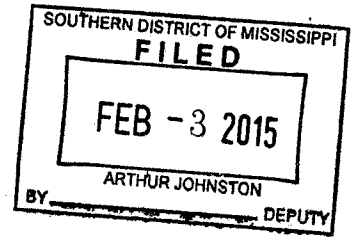


IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION



GRAY & ASSOCIATES, INC.;  
JUAN GRAY, INDIVIDUALLY  
AND ON BEHALF OF GRAY &  
ASSOCIATES, INC.

PLAINTIFF

V.

CIVIL ACTION NO. 3:15-cv-69 DPJ-FKB

QBE INSURANCE CORPORATION

DEFENDANT

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NOTICE OF REMOVAL

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COMES NOW, the Defendant, QBE Insurance Corporation (hereinafter "Defendant"), by and through counsel, and files this, its Notice of Removal, pursuant to 28 U.S.C. §§ 1332, 1441, and 1446. In support, the Defendant would state the following, to wit:

1. Plaintiff filed his Complaint in the Circuit Court of Hinds County, Mississippi, First Judicial District, on September 4, 2014.

2. Section 1332 of Title 28 provides that in all civil actions between "citizens of different states," the district courts of the United States "will have original jurisdiction . . . where the matter in controversy exceeds the sum or value of \$75,000.00, exclusive of costs."

3. The Plaintiff is an adult resident citizen of the State of Mississippi.

4. The Defendant, QBE, is a Delaware corporation and can be found doing business in the State of Mississippi and has its principle place of business in: 88 Pine Street, New York, New York 10005.

5. The Defendant is not a citizen of the State of Mississippi. Therefore, complete diversity of citizenship exists between the Plaintiff and the Defendant.

6. The Complaint in this matter seeks \$750,000.00 in actual damages. This amount in controversy exceeds the amount of \$75,000.00 required for diversity jurisdiction to be applicable, making this action removable pursuant 28 U.S.C. §§ 1332 and 1441.

7. This Notice of Removal is being filed within one year of the date the Plaintiff commenced this action by filing the original Complaint on September 4, 2014. Accordingly, this Notice is timely filed under 28 U.S.C. § 1446(b).

8. Attached as **Exhibit A** are true and correct copies of all of the documents served upon the Defendant by the Plaintiff.

9. In accordance with the local rules of the Southern District, the State Court file is being obtained and will be filed with the Court upon receipt by the Defendant.

WHEREFORE, premises considered, the Defendant hereby files this Notice of Removal pursuant to 28 U.S.C. §§ 1332, 1441, 1446, removing this civil action from the docket of the Circuit Court of Hinds County, Mississippi, First Judicial District, to the United States District Court for the Southern District of Mississippi, Northern Division.

Respectfully submitted, this the 30 day of January, 2015.

QBE INSURANCE CORPORATION, Defendant

BY: GAMMILL MONTGOMERY, PLLC

BY:



TOBY J. GAMMILL (MSB #100367)

OF COUNSEL:

GAMMILL MONTGOMERY PLLC  
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*Attorney for Defendant QBE Insurance Corporation*

**CERTIFICATE OF SERVICE**

I, Toby J. Gammill, attorney for Defendant, Allstate Property and Casualty Insurance Company, do hereby certify that I have this day transmitted via the United States Mail, a true and correct copy of the above and foregoing *Notice of Removal* to:

Kenya R. Martin, Esq.  
KENYA R. MARTIN, LLC  
5709 Highway 80  
Jackson, Mississippi 39209  
[KRMartin@4MartinsAtLaw.com](mailto:KRMartin@4MartinsAtLaw.com)  
*Attorney for Plaintiff*

This the 30 day of January, 2015.

  
\_\_\_\_\_  
TOBY J. GAMMILL